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DATE MAILED: 07/07/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/683,779	10/10/2003	Laurent Compain	28944/39683	1805
4743	7590 07/07/2004	EXAMINER		
MARSHALL, GERSTEIN & BORUN LLP 6300 SEARS TOWER 233 S. WACKER DRIVE			BUTLER, DOUGLAS C	
			ART UNIT	PAPER NUMBER
CHICAGO, II	CHICAGO, IL 60606			

Please find below and/or attached an Office communication concerning this application or proceeding.



## Office Action Summary

Application No.	Applicant(s)	1/4
10/683,779	COMPAIN, LAURE	NT
Examiner	Art Unit	
Douglas C. Butler	3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply** 

# A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM

THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the simple of the period for reply is specified above, the maximum statutory period will apply and Failure to reply within the set or extended period for reply will, by statute, cause the a Any reply received by the Office later than three months after the mailing date of this earned patent term adjustment. See 37 CFR 1.704(b).	event, however, may a reply be timely filed  tatutory minimum of thirty (30) days will be considered timely.  will expire SIX (6) MONTHS from the mailing date of this communication.  polication to become ABANDONED (35 U.S.C. § 133).						
Status							
1) Responsive to communication(s) filed on 22 January 20	<u>004.</u>						
2a) This action is <b>FINAL</b> . 2b) This action is	non-final.						
3) Since this application is in condition for allowance excep	pt for formal matters, prosecution as to the merits is						
closed in accordance with the practice under Ex parte C	Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
4) Claim(s) <u>1-13</u> is/are pending in the application.							
4a) Of the above claim(s) is/are withdrawn from c	consideration.						
5)⊠ Claim(s) <u>1-4,13</u> is/are allowed.							
6)⊠ Claim(s) <u>5-12</u> is/are rejected.							
7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or election	requirement.						
Application Papers							
9) The specification is objected to by the Examiner.							
10)☐ The drawing(s) filed on is/are: a)☐ accepted or l	b)  objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s	) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is requ	uired if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11)☐ The oath or declaration is objected to by the Examiner. I	Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority u	nder 35 U.S.C. § 119(a)-(d) or (f).						
a)⊠ All b)□ Some * c)□ None of:							
1. Certified copies of the priority documents have been received.							
2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment/s)							
Attachment(s)  1) Notice of References Cited (PTO-892)	4) Interview Summary (PTO-413)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date						
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	5)  Notice of Informal Patent Application (PTO-152) 6)  Other:						

### Att

1)	M	Notice of	References	Cited	(PTO-892)

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#### **DETAILED ACTION**

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

- 2. The submitted IDS has been considered. A copy of applicant-submitted Form PTO1449 is enclosed.
- 3. Claims 1-4 and 13 are allowed.
- 4. The following is a quotation of the second paragraph of 35 U.S.C. 112:
  The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 5. Claims 5-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There are no clear antecedent bases in the claims for "the recess" of claim 5, last line, "said plate" of claim 9, line 5, claim 10, last line, claim 11, last line, claim 12, last line.

Re claims 7, 9 "the branches", "bridge" and "sleeve" should be correlated with and/or distinguished from the "branches", "sleeve" and "bridge" of parent claim 1.

- 6. Claims 5-12 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.
- 7. Note Larmande et al(US6588533).
- 8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas C. Butler whose telephone number is 703-308-2575. The examiner can normally be reached on m-f 5:30 am to 2pm.

6/28/04

Art Unit: 3683

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder can be reached on 703-308-3421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas C. Butler Primary Examiner

Art Unit 3683